

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

**BONNIE AMBROSE, TIFFANY SELLECK,  
and JOANN PORTILLO-GARCIA,**

**Plaintiffs,**

**v.**

**No. 17-cv-0681 MV/SMV**

**GRINDELL & ROMERO INSURANCE, INC.,  
and ROBERT ABERCROMBIE,**

**Defendants.**

**ORDER ON PLAINTIFFS’  
MOTION FOR AN ORDER TO SHOW CAUSE**

THIS MATTER is before the Court on Plaintiffs’ Motion for an Order to Show Cause [Doc. 20], filed on March 30, 2018, and on reference by the Honorable Martha Vázquez, United States District Judge, [Doc. 25]. The motion is fully briefed. [Docs. 22, 23, 30]. The Court heard oral argument at an in-person show-cause hearing on June 1, 2018. [Doc. 32]. After the hearing, Plaintiffs reported that they had resolved the motion except as to one issue: defense counsel Mr. Grayson’s email to Plaintiff’s counsel of February 28, 2018. [Doc. 33].

The Court finds that the thoughts expressed in the email, found at [Doc. 20-2] at 2, were contrary to the rules of professional conduct and what is expected of attorneys admitted to the federal bar. Mr. Grayson’s conduct paints all attorneys in a bad light, especially defense attorneys. There are mitigating circumstances. The email appears to have been sent in haste without sober reflection. Mr. Grayson apologized within a few hours. Mr. Grayson acknowledges that the conduct was improper and has expressed contrition. Mr. Grayson has

already suffered some adverse consequences in the form of a letter of caution from the Disciplinary Board. Mr. Grayson's conduct related to the February 28, 2018 email warrants sanctions. The Court finds that the appropriate sanction is a formal admonishment. It is the least severe sanction adequate to punish the misconduct and deter further misbehavior. Any further similar conduct (e.g., multiplying litigation for strategic purposes or threatening to do so) will not be tolerated and could result in more severe sanctions, including monetary sanctions and/or the suspension federal bar privileges.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**